

EXHIBIT E

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re: Chapter 9

SUFFOLK REGIONAL OFF-TRACK BETTING Case No.
CORPORATION, 12-43503-CEC

Adjusted Debtor.

-----X
JENNIFER TOMASINO, KEVIN MONTANO, RICHARD
MEYER, and APRYL L. MEYER,

Plaintiffs,

-against- Adv. Proc. No.
18-1033-CEC

INCORPORATED VILLAGE OF ISLANDIA, BOARD OF
TRUSTEES OF THE VILLAGE OF ISLANDIA, DELAWARE
NORTH ISLANDIA PROPERTIES, LLC, aka DELAWARE
NORTH, and SUFFOLK REGIONAL OFF-TRACK BETTING
CORPORATION,

Defendants.

-----X

October 12, 2018
2:17 p.m.

100 Motor Parkway
Hauppauge, New York

DEPOSITION of RICHARD MEYER, a Plaintiff
herein, taken by Adversarial Parties, pursuant
to Federal Rules of Civil Procedure, and Notice,
held at the above-mentioned time and place,
before Edward Leto, a Notary Public of the State
of New York.

1

2 A P P E A R A N C E S:

3

4

LAW OFFICES OF ANTON J. BOROVINA
Attorneys for Plaintiffs
225 Broad Hollow Road, Suite 303
Melville, New York 11747

6

BY: ANTON J. BOROVINA, ESQ.

7

8

SINNREICH KOSAKOFF MESSINA, LLP
Attorneys for Defendants Incorporated
Village of Islandia and Board of
Trustees of the Village of Islandia
267 Carleton Avenue, Suite 301
Central Islip, New York 11722

10

11

12

BY: JARRETT M. BEHAR, ESQ.

13

14

HODGSON RUSS, LLP
Attorneys for Defendants Delaware
North Islandia Properties, LLC aka
Delaware North
140 Pearl Street, Suite 100
Buffalo, New York 14202

15

16

17

BY: DANIEL A. SPITZER, ESQ.

18

19

ECKERT SEAMANS CHERIN & MELLOTT, LLC
Attorneys for Adjusted
Debtor/Defendant Suffolk Regional
Off-Track Betting Corporation
10 Bank Street, Suite 700
White Plains, New York 10606

20

21

22

23

BY: CHRISTOPHER F. GRAHAM, ESQ.
REN-ANN WANG, ESQ., of Counsel

24

25

1

2

FEDERAL STIPULATIONS

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

IT IS HEREBY STIPULATED AND AGREED by
and between the parties hereto, through their
respective counsel, that the certification,
sealing and filing of the within examination
will be and the same are hereby waived;

IT IS FURTHER STIPULATED AND AGREED
that all objections, except as to the form of
the question, will be reserved to the time of
the trial;

IT IS FURTHER STIPULATED AND AGREED that
the within examination may be signed before any
Notary Public with the same force and effect as
if signed and sworn to before this Court.

1 R. Meyer

2 R I C H A R D M E Y E R, the Witness herein,
3 having been first duly sworn by a Notary
4 Public in and of the State of New York, was
5 examined and testified as follows:

6 EXAMINATION BY

7 MR. SPITZER:

8 Q Please state your full name for
9 the record.

10 A Richard Meyer.

11 Q What is your current address?

12 A 1 Dawson Court, Islandia, New York
13 11749.

14 (R. Meyer Exhibit A,
15 Amended Complaint, was marked for
16 identification, as of this date.)

17 Q Good morning, Mr. Meyer.

18 A How are you doing?

19 Q Good. My name is Daniel Spitzer.
20 I'm an attorney for Delaware North.

21 A Nice to meet you.

22 Q Nice to meet you, too, sir, and
23 along with my colleagues, this deposition is to
24 discuss the lawsuit that you've brought and your
25 family has brought and your neighbors have

1 R. Meyer

2 Q Yes.

3 A No.

4 Q You had an appraisal for the bank
5 when you got the mortgage?

6 A I'm assuming I did to get a loan.
7 I don't think a bank would give me a loan
8 without one.

9 Q Do you have any idea what the
10 value of the home is now?

11 A I don't. I hope it would be more
12 than I paid for it, but I don't know for sure.

13 Q When you were doing your
14 investigations about this neighborhood, did you
15 look at the zoning for the Village of Islandia?

16 A No.

17 Q Did you look at the Master Plan
18 for the Village?

19 A I didn't even know there would be
20 a Master Plan. Never even heard of it before in
21 my life before this.

22 Q So, I think it's fair to assume
23 then that you also didn't look at the Master
24 Plan Update?

25 A No, I did not.

1 R. Meyer

2 MR. BOROVINA: No, it's
3 not, but you didn't show the
4 document before.

5 MR. SPITZER: And I didn't
6 show it this time either.

7 MR. BOROVINA: Now you are.

8 MR. SPITZER: It's the same
9 document I paraphrased from this
10 morning.

11 MR. BOROVINA: I didn't
12 know you were paraphrasing because
13 you didn't show it, but all right.

14 Q In the Master Plan, we'll make
15 everybody happy, in the Master Plan it says "due
16 to the proximity of this operation, two single
17 family residences on Shafter Street, noise
18 generated by Metroplex has a substantial impact
19 on the neighbors." That's from the Master Plan
20 on page 17.

21 Did you know about that?

22 A Absolutely not.

23 Q That's what I thought. Did you
24 make any investigations of the uses that were
25 going on around Dawson Court at the time you

1 R. Meyer

2 bought the house?

3 A Yes, I drove around. I saw there
4 was a place behind us through the woods. I know
5 there was an issue with the Veterans home on the
6 other side that wouldn't affect us, but I knew
7 BJ's was there, I knew the Park & Ride was there
8 and I knew that the hotel was there.

9 And I spoke to a few of my friends
10 who I work with and I asked them if there was
11 any issues, because I did have a concern with
12 the Park & Ride and the hotel and they told me
13 that there was no issues to worry about. Just
14 normal activity like everywhere else on Long
15 Island.

16 Q Do you remember the names of the
17 friends you spoke to?

18 A I don't unfortunately. I just
19 know them by face. I really don't know people
20 by names in other precincts. I run into them
21 occasionally.

22 Q Are they fellow officers?

23 A Yes, fellow officers.

24 Q When you say the place through the
25 woods, I think it's a McDonald's distribution or

1 R. Meyer

2 Q I've told the same thing to my
3 wife to no avail. Obviously I'm asking you in
4 terms of knowledge that you know. I'm not
5 asking you to tell me anything that's
6 confidential that you've learned as a police
7 officer. I'm asking you as a plaintiff in this
8 case.

9 A Gotcha.

10 Q Do you know of any prostitution
11 problems in the area prior to the casino?

12 A Prior? I have never heard of it.
13 Never.

14 Q Do you know of any prostitution
15 arrests that have occurred in the area after the
16 casino?

17 A Arrests? No.

18 Q Do you know have there been --

19 A I can tell you I do see people
20 from the areas that I work up by the casino now
21 that I've never seen up there before that are
22 known prostitutes, and I do see them there now.

23 Q And you assume they're applying
24 their trade?

25 A I would have to assume.

1 R. Meyer

2 Q But nothing negative has happened
3 to your house?

4 A No.

5 MR. BOROVINA: Physically?

6 MR. GRAHAM: Physically,
7 right.

8 Q Has anyone in your family had to
9 seek medical or psychological treatment
10 resulting from the opening of Jake's 58?

11 A No.

12 Q Have you seen anyone using drugs
13 on Dawson Court?

14 A No.

15 Q Never?

16 A No.

17 Q Other than the two people that you
18 mentioned on the first day who were urinating,
19 have you seen any public drinking on Dawson
20 Court?

21 A Three weeks ago I saw two empty
22 beer bottles pretty much in the same spot as the
23 other one. I didn't see them there, but I mow
24 the lawn across the street from me and they were
25 sitting right there.

1

2

C E R T I F I C A T E

3

4

5

I, EDWARD LETO, a Notary Public in and
for the State of New York, do hereby certify:

6

7

THAT the witness whose testimony is
hereinbefore set forth, was duly sworn by me;

8

and

9

10

THAT the within transcript is a true
record of the testimony given by said witness.

11

12

13

I further certify that I am not related,
either by blood or marriage, to any of the
parties in this action; and

14

15

THAT I am in no way interested in the
outcome of this matter.

16

17

IN WITNESS WHEREOF, I have hereunto set
my hand this 18th day of October, 2018.

18

19

20

21

EDWARD LETO

22

23

24

25

